United Nations A/61/754–S/2007/99

General Assembly
Security Council

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22 February 2007

Original: English

General Assembly
Sixty-first session
Agenda item 19
Question of Cyprus

Security Council
Sixty-second year

Letter dated 22 February 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 21 February 2007, addressed to you by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

07-24711 (E) 230207

Annex to the letter dated 22 February 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 14 February 2007, addressed to you by the Greek Cypriot Chargé d'affaires a.i. and circulated as a document of the General Assembly and of the Security Council (A/61/746-S/2007/89), which yet again contains allegations of violations of the "airspace of the Republic of Cyprus" and of the "flight information region of Nicosia", and to bring to your kind attention the following:

In response to such false and pretentious allegations, I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. Furthermore, it should be emphasized that allegations of so-called violations of the flight information region or violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

As stated in our previous letters, such allegations are based on the false and illegitimate claim that the sovereignty of the Greek Cypriot administration extends over the whole island, including the territory of the Turkish Republic of Northern Cyprus. This claim by the Greek Cypriot side is divorced from the existing realities in Cyprus, namely, the existence of two independent States, each exercising sovereignty and jurisdiction within and above its respective territory on the island.

Attempts by the Greek Cypriot representatives, through often-repeated false claims, to confer legitimacy upon an illegal administration will be futile as long as the Turkish Cypriot people refuse to bow to its writs. What would indeed be conducive to a better climate on the island would be for the Greek Cypriot side to stop arrogating to itself the rights and responsibilities it does not legally have, and to cease all hostilities towards the Turkish Cypriot people.

The Greek Cypriot administration should be reminded, once again, that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey. Last but not least, the irrelevant reference by the Greek Cypriot Chargé d'affaires a.i. to the 8 July agreement in this regard, is again nothing more than blunt rhetoric which is aimed at creating confusion in the international community. At a time when the Turkish Cypriot side is doing its utmost to pave the way for the implementation of the 8 July agreement, such absurd and baseless allegations could only be perceived as a reflection of the Greek Cypriot mentality, which is affecting negatively not only the day-to-day conduct of relations between the two sides but also the creation of a good political climate on the island.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

United Nations A/61/755–S/2007/101

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Security Council

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General Assembly
Sixty-first session
Agenda items 13 and 14

The situation in the Middle East

Question of Palestine

Security Council
Sixty-second year

Identical letters dated 21 February 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you of the troubling number of terror attacks carried out by Palestinian terrorists operating in the Gaza Strip over the past two weeks.

From Monday, 5 February 2007, until Monday, 19 February 2007, 32 rockets were fired by Palestinian terrorists in the Gaza Strip at Israeli communities in the south. These rocket attacks included the launching of Qassams and mortar shells, 10 of which detonated in Israeli territory. A number of greenhouses were also damaged.

Palestinian terror continues unabated, in grave violation of the agreed upon ceasefire between Prime Minister Ehud Olmert and President Mahmoud Abbas in late November. The persistence of Palestinian terror is an outright act of provocation, threatening the viability of sustainable peace and security in our region. The Hamas government must adhere to the three conditions of the international community, and put an end to the violence and terror against Israel.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the sixty-first session of the General Assembly under agenda items 13 and 14.

(*Signed*) Daniel **Carmon**
Ambassador
Deputy Permanent Representative

07-24723 (E) 220207

United Nations A/61/756

General Assembly

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Sixty-first session
Agenda items 11, 27 and 108 (o)

Prevention of armed conflict

Protracted conflicts in the GUAM area and their implications for international peace, security and development

Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Organization for Security and Cooperation in Europe

Letter dated 20 February 2007 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

Acting on behalf of the Belarusian Chairmanship in the Collective Security Treaty Organization, I have the honour to bring to your attention the statement of the Collective Security Treaty Organization member States (see annex) supporting the Joint Statement by the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe of 15 February 2007.

I should be grateful if you could have the present letter and its annex circulated as a document of the General Assembly.

(*Signed*) Andrei **Dapkiunas**
Permanent Representative

07-24744 (E) 230207 230207

Annex to the letter dated 20 February 2007 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

[Original: Russian]

Statement by the member States of the Collective Security Treaty Organization

The member States of the Collective Security Treaty Organization support the Joint Statement by the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe of 15 February 2007, which calls upon the parties to the Nagorno-Karabakh conflict to avoid any action, including in the United Nations General Assembly, that could undermine the positive developments of recent months.

The member States of the Collective Security Treaty Organization support the efforts of international mediators to achieve a peaceful settlement of the conflicts over Abkhazia, Nagorno-Karabakh, Transnistria and South Ossetia.

Any initiatives taken in this context should facilitate the settlement of the conflicts and should be aimed at overcoming existing differences with regard to the basic principles of a settlement and at maintaining the progress made in certain negotiations.

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Question of Cyprus

Security Council
Sixty-second year

Letter dated 21 February 2007 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

In accordance with instructions received from my Government, I have the honour to refer to the letter dated 28 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to you (A/61/686-S/2006/1037), transmitting in the annex thereto a letter from the purported "deputy prime minister and minister for foreign affairs" of the legally invalid "Turkish Republic of Northern Cyprus" on the alleged issue of "rearmament efforts" of the Republic of Cyprus.

The Government of the Republic of Cyprus rejects the deliberate and preposterous fabrications contained in the aforementioned letter and considers them yet another by-proxy attempt by Turkey to divert attention from its own responsibilities as the occupying Power of approximately one third of the territory of another Member of the United Nations Organization.

The aggressor accusing his victim of taking measures to defend itself constitutes in fact the ultimate expression of provocation. As stated in an earlier report of the Secretary-General (S/1995/1020), Turkey has transformed the occupied northern part of Cyprus into "one of the most densely militarized areas in the world". In that respect, it should be noted that, according to reliable sources and as evidenced by public statements of the Deputy Chief of the Turkish National Defence General Staff reported by CNN TURK on 8 December 2006, Turkey illegally stations in Cyprus the 11th Army Corps, consisting of 42,500 troops and comprising the following:

- The 39th Mechanized Infantry Division
- The 28th Mechanized Infantry Division
- The 14th Armoured Brigade
- The Mechanized Infantry Regiment of the Turkish Force in Cyprus
- The Special Forces Regiment
- The artillery regiment
- The naval component

07-24813 (E) 260207

The Turkish occupation forces in Cyprus are armed with the latest technology in military equipment and weaponry, as follows:

Main battle tanks		**296**
M48A5C (training)		9
M48A5T1/T2		287
Armoured personnel carriers/armoured infantry battle vehicles		**677**
Armoured personnel carriers — M113		361
Armoured personnel carriers — NUROL		90
Armoured infantry battle vehicles — NUROL		126
Armoured personnel carriers — Mortar trnsp. M106/NUROL		100
Artillery guns		**212**
(a) Towed		96
M-115	203 mm	12
M-59	155 mm	12
M-114A2	155 mm	36
M-101A1	105 mm	36
(b) Self-propelled		108
M-52T	155 mm	66
M-44T	155 mm	42
(c) Multiple rocket launchers T-122 mm		8
Anti-tank weapon systems		**609**
TOW (MSL)		48
MILAN (MSL)		72
M-40A1	106 mm	429
KONKURZ		60
Mortars		**592**
M-30	107 mm (4.2") MOR	142
HY-12	120 mm MOR	171
81 mm MOR		279
Air defence systems		**299**
RHIMENTAL/GAI DOI	20 mm	48
OERLIKON	35 mm	36
STINGER/REDEY		215
Warships		**10**
Coastal patrol vessels		9
Landing craft LCM		1
General purpose helicopters (Cougar AS-532)		**2**

It should be emphasized that, in 2005, Turkey completed a restructuring programme of its occupation forces in Cyprus, which was based on the upgrading of the infantry into mechanized infantry. Since then, Turkey has been constantly upgrading the military equipment and weaponry of its occupation forces in Cyprus through, inter alia, the replacement of M48A5T1 battle tanks with the technologically advanced M48A5T2, the acquisition of NUROL armoured personnel carriers and armoured fighting vehicles, the replacement of 105-mm towed artillery guns with 155-mm self-propelled guns, the increase in the number of 122-mm multiple rocket launchers, the upgrading of the light air defence artillery to squadrons and the forthcoming reinforcement of the coastal patrol with another two vessels.

The militaristic approach of Turkey to the Cyprus problem constitutes a serious breach of international law, including the Charter of the United Nations and relevant resolutions, such as Security Council resolution 353 (1974), in which the Council called for "the withdrawal without delay from the Republic of Cyprus of foreign military personnel present otherwise than under the authority of international agreements"; General Assembly resolution 37/253 of 13 May 1983, in which the Assembly deplored the fact that "part of the territory of the Republic of Cyprus is still occupied by foreign forces" and considered "the withdrawal of all occupation forces from the Republic of Cyprus as an essential basis for a speedy and mutually acceptable solution of the problem of Cyprus"; and Security Council resolution 1251 (1999), in which the Council called for the reduction of all troops and armaments in Cyprus as a first step towards the withdrawal of non-Cypriot forces, in order to help restore confidence between the two sides.

It is high time for the Government of Turkey to take heed of both the call of the international community and the will of Turkish Cypriots and Greek Cypriots to build their common future on the basis of mutual trust, security and respect.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 19, and of the Security Council.

(*Signed*) Andreas D. **Mavroyiannis**

United Nations A/61/758

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Programme budget for the biennium 2006-2007

Administration of justice at the United Nations

Report of the Redesign Panel on the United Nations system of administration of justice

Note by the Secretary-General

Summary

As requested by the General Assembly in its resolution 59/283, the Secretary-General hereby submits his comments on the recommendations contained in the report of the Redesign Panel on the United Nations system of administration of justice (A/61/205), which was established under the same resolution. The comments reflect extensive consultations with the Staff-Management Coordination Committee. The present document also contains the estimate of time and resources needed for the implementation of the Panel's recommendations.

The Secretary-General shares the view of the Redesign Panel that there are significant problems with the existing system of internal justice. He agrees that an entirely new system is needed — one that is professional, independent and decentralized. He requests the General Assembly to give due consideration to the proposals contained below and to approve the resources necessary for full implementation.

07-24877 (E) 010307

I. Introduction

1. In section IV of its resolution 59/283, the General Assembly decided that the Secretary-General should form a panel of external and independent experts to consider redesigning the system of administration of justice and decided on its terms of reference. The Redesign Panel was established accordingly, and its report was transmitted to the General Assembly (A/61/205).

2. In August 2006 the Deputy Secretary-General requested the views of managers and staff representative, on the findings and recommendations of the Redesign Panel. The views of 47 offices from the Secretariat and the United Nations funds and programmes were received. Those comments served as the basis for the subsequent consultation process among the offices most directly involved in the justice system, including the Department of Management, the Office of the Ombudsman, the Office of Legal Affairs and the Department of Peacekeeping Operations, as well as the funds and programmes.

3. The Staff-Management Coordination Committee met in a special session from 31 January to 6 February 2007 to discuss the Panel's recommendations and express its views prior to the submission of the comments of the Secretary-General thereon. The Staff-Management Coordination Committee is a joint mechanism established under the Staff Rules at the global Secretariat level for consultation in good faith between staff and management on issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies, on which the Secretary-General is required to consult with the staff under staff regulation 8.1. The full membership of the Committee, with the exception of staff representatives from New York, attended the special session.[1] The Secretary-General has endorsed the agreements reached by the Committee, which are reflected in the comments below.

4. The present note provides the comments of the Secretary-General on the recommendations of the Redesign Panel, along with the estimate of time and resources needed for their implementation, as requested by the General Assembly in its resolution 59/283. Most of the Panel's recommendations have been accepted in their entirety. In other instances, the Staff-Management Coordination Committee agreed on modifications, which the Secretary-General fully endorses, that would enhance the viability and effectiveness of the new system. In addition, the Committee agreed to establish a working group to discuss issues relating to disciplinary proceedings that require further elaboration before recommendations can be finalized.

[1] The participants included management representatives from all major duty stations, as well as from the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and the United Nations Children's Fund, and staff representatives from the Economic Commission for Africa, the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the Economic and Social Commission for Western Asia, the Field Staff Union, the United Nations Office at Geneva, the United Nations Office at Nairobi, the United Nations Office at Vienna, the International Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the United Nations University.

II. Overview

5. The Secretary-General fully shares the view expressed by the General Assembly in its resolution 59/283 that a transparent, impartial and effective system of administration of justice is a necessary condition for ensuring fair and just treatment of United Nations staff and is important for the success of human resources reform in the Organization. There are fundamental reasons why the United Nations needs a functioning, well-resourced system of internal justice, namely, that:

(a) United Nations staff members have no legal recourse to national courts in respect of employment-related grievances. The Organization therefore needs to offer its personnel effective recourse and must bear many of the attendant costs that might otherwise have been incurred in national judicial proceedings;

(b) The United Nations, as an organization involved in setting norms and standards and advocating for the rule of law, has a special duty to offer its staff timely, effective and fair justice. It must, therefore, "practice what it preaches" with respect to the treatment and management of its own personnel. The Secretary-General believes that staff are entitled to a system of justice that fully complies with applicable international human rights standards;

(c) Given heightened risks and increasingly complex situations in which the Organization operates, high ethical standards and zero tolerance for inappropriate conduct or wrongdoing have become paramount. Establishing an internal justice system that enjoys the confidence of both staff and management is essential to promoting mutual trust and enhancing accountability which, in turn, will strengthen the Organization;

(d) The internal justice system needs to adapt to the changing requirements of an increasingly global Organization. The current system of justice was designed at a time when there were only a few thousand staff members, largely at headquarters locations. At present, there are over 30,000 Secretariat staff members, of whom more than half perform a broad range of functions outside headquarters locations, including in the context of peacekeeping, peacebuilding, humanitarian affairs and technical cooperation. The separately administered United Nations funds and programmes — such as the United Nations Development Programme, the United Nations Population Fund and the United Nations Children's Fund, whose staff total over 25,000 — also avail themselves of the United Nations internal justice system. The internal justice system needs to be structured in a way that affords effective access to all staff members, wherever they are located.

6. The Organization's current system of internal justice was established several decades ago and is based largely on a peer review mechanism relying on volunteer staff members. The Secretary-General shares the view of the Panel that the entire system has outlived its relevance. Insofar as a justice system is only as good as the level of respect and confidence it commands, he agrees with the Panel that the existing system fails. Many staff and managers have grave doubts about the independence and impartiality of the existing system and are not convinced that it assists in ensuring proper accountability.

7. The Secretary-General welcomes the report of the Redesign Panel, which proposes comprehensive changes to the Organization's internal justice system aimed at enhancing its capacity to deliver justice in a timely and effective manner, with

full respect for the due process rights of both parties. He considers that the report makes an important contribution towards the establishment of a transparent, impartial and effective internal justice system. He has used the report as the basis for his consultations with managers and staff. To the extent possible, the comments of the Secretary-General follow the order of the Panel report. The related recommendations of that report are referenced in parentheses.

III. A unified system

8. The Secretary-General agrees with the Panel's overall recommendation for the establishment of a professional, independent and decentralized internal justice system (A/61/205, para. 152). Consequently, he supports the recommendation for the early establishment of an Office of Administration of Justice in the United Nations, headed by an executive director with the rank of Assistant Secretary-General (ibid., para. 153).

9. Regarding legal assistance for staff members, the Secretary-General agrees with the Panel's recommendation to establish a professionalized office located in the Office of Administration of Justice (ibid., para. 170). The Secretary-General supports the recommendation of the Staff-Management Coordination Committee to establish offices to provide staff legal assistance in Addis Ababa, Bangkok, Beirut, Dakar, Geneva, Nairobi, New York, Santiago and Vienna and in the peacekeeping missions in the Democratic Republic of the Congo, Liberia and the Sudan. The proposal for the additional locations in Bangkok and Dakar, which were not foreseen in the Panel's recommendations, is intended to reflect the geographic distribution of the staff of the Secretariat and the funds and programmes and to enhance access for staff based in francophone countries in West Africa. He further endorses the Committee's recommendation that, in order to avoid confusion with the Office of the Legal Counsel, which is part of the Office of Legal Affairs, the office should be named the Office of Staff Legal Assistance, and that terms of reference and professional guidelines would need to be developed for staff serving in that office.

10. The Panel raised concerns about the limited scope of the existing justice system, which currently excludes persons employed on special service agreements and individual contractors. The Panel recommended extending the scope of the new system to all persons employed by the United Nations in a remunerated post or performing personal services under contract with the Organization (ibid., paras. 20 and 156 and notes to annex I). The Secretary-General concurs with its recommendation that the following individuals would have access to the informal and formal system of justice: staff members, former staff members and persons making claims in the name of deceased staff members and all persons who perform work by way of their own personal service for the Organization, no matter the type of contract by which they are engaged, but not including military or police personnel in peacekeeping operations, volunteers (other than United Nations Volunteers), interns, type II gratis personnel (as defined in ST/AI/1999/6), or persons performing work in conjunction with the supply of goods or services extending beyond their own personal service or pursuant to a contract entered into with a supplier, contractor or consulting firm. It is not yet possible to estimate the full impact this scope enlargement will have on the actual number of cases arising in both the informal and formal systems. However, in view of the large number of

individuals who perform services for the United Nations Secretariat and its separately administered funds and programmes under a variety of contractual arrangements, a sizeable increase in the number of cases is expected.[2]

11. The Secretary-General considers that, with respect to the Panel's view that persons appointed by the General Assembly or any principal organ (other than the Secretariat) to a remunerated post in the Organization should have access to the United Nations internal justice system (ibid., para. 20 (a)), a decision to extend the scope of the system to such individuals would require specific approval by the Assembly or the principal organ concerned.

IV. Informal system of justice

12. A strong system of informal dispute resolution is needed in order to avoid unnecessary, costly litigation and to promote early problem-solving in disputes between managers and their staff. Recognizing the importance of effective and timely informal dispute resolution, the Secretary-General supports the Panel's recommendation to establish a single integrated Office of the Ombudsman for the United Nations Secretariat and the funds and programmes, which would be strengthened by creating a Mediation Division within the Office of the Ombudsman and by combining the functions of formal mediation with proactive monitoring of maladministration (ibid., paras. 164, 166, 167). The Secretary-General also supports the Staff-Management Coordination Committee agreement that any settlement reached at the end of mediation should be signed and followed, if necessary, by an administrative decision and that verbal or written statements made during the mediation process should remain confidential and inadmissible in subsequent litigation.

13. On the selection and appointment of the Ombudsmen, the Panel proposed that the United Nations Ombudsman and the Ombudsman for the funds and programmes would be appointed by the Secretary-General and the executive heads of the funds and programmes respectively from a list of candidates compiled by a selection committee. The selection committee would comprise representatives of management and staff, as well as outside Ombudsmen. The Secretary-General agrees with those recommendations (ibid., para. 165).

14. As for the Panel's proposal to decentralize the Office of the Ombudsman by appointing regional Ombudsmen as well as additional Ombudsmen to serve peacekeeping missions with large numbers of civilian staff (ibid., paras. 164 and 171), the Secretary-General endorses the recommendation of the Staff-Management Coordination Committee that regional Ombudsmen should be appointed to the duty stations of Addis Ababa, Bangkok, Beirut, Dakar, Geneva, Nairobi, New York, Santiago and Vienna and to the peacekeeping missions in the Democratic Republic of the Congo, Liberia and the Sudan. Again, the proposal for the appointment of an additional Ombudsman in Dakar — not foreseen in the Panel's recommendations — is intended to enhance access for staff based in francophone countries in West Africa.

[2] Approximately 35,000 individuals were engaged by the United Nations funds and programmes, including the United Nations Office for Project Services, as individual consultants or United Nations Volunteers or on service contracts or special service agreements during 2006.

15. In view of the strengthened role of the Office of the Ombudsman, the Secretary-General agrees with the Panel's recommendation to abolish the Panels on Discrimination and Other Grievances and to transfer their functions to the Office of the Ombudsman and the formal justice system, as appropriate (ibid., para. 168).

16. The proposed new structure of the informal system is illustrated in annex I.

V. Formal system of justice

17. The elements of the proposed formal system of internal justice are outlined below. The Secretary-General shares the Panel's view that the current system has major defects and limitations. A fundamentally different system is recommended — replacing the advisory bodies with a professional and decentralized first-instance tribunal that issues binding decisions that either party can appeal to an appeals tribunal.

A two-tiered system

18. The Panel recommended the establishment of a two-tiered system of formal justice, comprising a first-instance decentralized tribunal, the United Nations Dispute Tribunal and a United Nations Appeals Tribunal, which would exercise appellate jurisdiction (ibid., paras. 154 and 155).[3] Either party — the Organization or the staff member — could appeal a decision of the Dispute Tribunal to the Appeals Tribunal. The Dispute Tribunal would comprise professional judges, which would replace the Joint Appeals Boards and the Joint Disciplinary Committees. The Secretary-General agrees with the Panel's recommendations. He also shares the Panel's view that the performance appraisal system (PAS) rebuttal panels and Classification Appeals and Review Committees would be maintained (ibid., para. 154). The Staff-Management Coordination Committee further indicated (and the Secretary-General agrees) that specialized or technical advisory bodies such as the medical boards and the Advisory Board on Compensation Claims would also need to be maintained.

19. The Panel recommended that a single judge would normally decide cases (ibid., para. 93). The Secretary-General believes that in order to reflect the multicultural nature of the Organization, representation of more than one legal system would be required. In order to achieve this, cases at the first level should be reviewed by a panel of three judges. He therefore supports the Staff-Management Coordination Committee recommendation that the Dispute Tribunal be composed of nine full-time judges sitting in panels of three. The Secretary-General also agrees that no two Dispute Tribunal judges should be of the same nationality and that gender and regional balance should be respected; the same considerations would also apply to the judges of the Appeals Tribunal.

[3] The Panel's recommendation included a reference to amendments to the Statute of the United Nations Administrative Tribunal, as set out in annex II to its report. The Secretary-General considers that those amendments would not be sufficient, and that additional amendments would be necessary to more accurately describe the jurisdiction of the Appeals Tribunal, discussed in paragraph 28 below, as well as to address the issues relating to the Tribunal's role in respect of entities other than the United Nations.

20. With this increased number of judges per panel, the Secretary-General proposes to establish Dispute Tribunal panels in Geneva, Nairobi and New York, without the half-time judges in Santiago and Bangkok proposed by the Panel (ibid., para. 76). The respective workloads of the Dispute Tribunal panels would be monitored by a principal registrar in the Office of Administration of Justice, who would schedule the travel of judges for sessions in Latin America and Asia, as required by the caseload.

Powers

21. The Secretary-General agrees that the Dispute Tribunal and the Appeals Tribunal should make binding decisions, as recommended by the Panel (ibid., para. 154). As for the Panel's proposal to amend the Staff Regulations and Rules to allow the Secretary-General to declare a post vacant when the appointment process has been flawed (ibid., para. 169), the Secretary-General endorses the recommendation of the Staff-Management Coordination Committee that when ordering "specific performance" in cases challenging appointments, promotions or terminations of appointment, the Dispute Tribunal should be required to set an amount of compensation that could be paid as an alternative to specific performance.[4] Therefore, appointments would not be set aside. The Appeals Tribunal, by contrast, could order specific performance without compensation as an alternative remedy.

22. As for other types of remedies that may be ordered by the Dispute Tribunal and the Appeals Tribunal, the Secretary-General agrees that compensation ordered by either Tribunal should not be subject to the normal limit of two years' salary currently applied by the United Nations Administrative Tribunal. With respect to the award of exemplary and punitive damages, as proposed by the Panel (ibid., para. 83 (b)), the Secretary-General considers that it would be improper to use public funds for this purpose and endorses the Staff-Management Coordination Committee agreement that those types of damages should not be awarded.

Jurisdiction

23. The Panel recommended that the formal justice system should have jurisdiction over complaints alleging non-compliance with terms of appointment, conditions of employment or the duties of an international organization to its staff, whether or not there has been a formal decision (ibid., para. 77 (a)). The Secretary-General agrees with the recommendation of the Staff-Management Coordination Committee that the formal system of justice should have jurisdiction over applications alleging non-compliance with the terms of appointment or the conditions of employment. The Secretary-General understands that such allegations would be based on either an express or implied administrative decision.

24. The Panel also recommended that the formal justice system allow for complaints with respect to conduct that is inconsistent with the duties of the Organization to its staff or that infringes their individual rights (ibid., para. 78). The

[4] The term "specific performance" in the context of the Dispute Tribunal and the Appeals Tribunal refers to the enforcement of an order for the performance or execution of an administrative action or process, as opposed to an order for payment of compensation. Specific performance may include, for example, the reinstatement of the staff member concerned or the removal of a document from the applicant's official status file.

Secretary-General endorses the Committee's proposed modification of this recommendation, namely, that in the context of the management evaluation function (see paras. 29-31 below), complaints of prejudicial or injurious conduct that do not conform to the Staff Regulations and Rules or administrative issuances would be reviewed promptly by management. This review would either:

(a) Trigger an investigation of the person accused of prejudicial or injurious conduct. If the evidence indicated misconduct, disciplinary action would be taken. The resulting disciplinary decision would be subject to the jurisdiction of the Dispute Tribunal; or

(b) Lead to the conclusion that the claim is not detailed or specific enough to justify an investigation or was not corroborated, in which case the staff member would be informed that no action will be taken. The resulting administrative decision would be subject to the jurisdiction of the Dispute Tribunal.

25. The Secretary-General agrees with the Panel's recommendation that the formal system should have jurisdiction over disciplinary matters (A/61/205, para. 77 (b)). He also shares the Panel's observation that a clear framework of cooperation and coordination between the Office of Internal Oversight Services and the United Nations internal justice system should be established on a priority basis (ibid., para. 162). Noting that the Panel's consideration of disciplinary proceedings required further elaboration, the Secretary-General welcomes the Committee's decision to establish an intersessional working group on disciplinary matters for immediate consideration of these matters. The working group will discuss issues relating to disciplinary proceedings, including the Panel's recommendations on delegating authority in misconduct and disciplinary cases to special representatives of the Secretary-General heading peacekeeping and political missions and to heads of offices away from Headquarters (ibid., paras. 161 and 163). The working group would report to the Staff-Management Coordination Committee at its next regular session, scheduled to take place in June 2007. The General Assembly will be informed of the outcome of the process and of any action required to implement the Secretary-General's subsequent decisions concerning the disciplinary process.

26. The Panel also envisaged that staff associations would have an independent right to bring a class or representative action on behalf of their members (ibid., para. 160). In that regard, the Secretary-General supports the Committee's recommendation that a staff association recognized under staff regulation 8.1 (b) may bring an application against the United Nations or its separately administered funds and programmes:

(a) To enforce the rights of the staff association, as recognized under the Staff Regulations and Rules;

(b) To file an application in its own name on behalf of a group of named staff members who are entitled to file and who are affected by the same administrative decision arising out of the same facts;

(c) To support an application by one or more individuals who are entitled to file an application against the same administrative decision by means of the submission of a friend-of-the-court brief or by intervention.

27. The Panel also recommended that Dispute Tribunal judges have the power to refer appropriate cases to the Secretary-General for possible action to enforce

accountability (ibid., para. 159). The Secretary-General agrees that both Dispute Tribunal and Appeals Tribunal judges should be empowered to make such referrals. On the Panel's proposal that the formal system should entertain applications for the enforcement of individual financial accountability (ibid.), the Secretary-General considers that he or the executive heads of separately administered funds and programmes should take appropriate administrative or disciplinary action to that effect, including the application of rules on financial responsibility when the conditions are met. However, there would be no need to seek the Dispute Tribunal's approval prior to such action being taken. The Secretary-General also recognizes that existing mechanisms for enforcing financial accountability would need to be reviewed to ensure consistency with those changes.[5]

28. With regard to the second tier of the formal justice system, the Secretary-General endorses the Committee's recommendation that the Appeals Tribunal may exercise appellate jurisdiction where the Dispute Tribunal:

(a) Has exceeded its jurisdiction or competence;

(b) Has failed to exercise jurisdiction vested in it;

(c) Has committed a fundamental error in procedure that has occasioned a failure of justice;

(d) Has erred on a question of law;

(e) Has erred on a question of material fact.

The Statute of the United Nations Administrative Tribunal, which will form the basis for the Statute of the Appeals Tribunal, will need to be amended accordingly, beyond the Panel's recommendations (ibid., para. 155 and annex II).

Management evaluation of administrative decisions

29. The Secretary-General supports the Panel's proposal to abolish the current process of administrative review prior to action in the formal justice system (ibid., para. 158). However, he endorses the Committee's recommendation to replace this review with a properly resourced and strengthened management evaluation function as a first step in the formal justice system. This will be an essential management tool for executive heads to hold managers accountable for their decisions, including in cases where an improper decision has been taken. It will give management an early opportunity to review a contested decision, to determine whether mistakes have been made or whether irregularities have occurred and to rectify those mistakes or irregularities before a case proceeds to litigation. The Committee agreed to review this management evaluation function one year after the new system of administration of justice has been fully implemented.

30. In order to ensure that this new function is more effective than the administrative review process that it will replace, the Secretary-General endorses the following new measures agreed to by the Committee to strengthen the management evaluation function:

[5] Administrative instruction ST/AI/2004/3 provides for advice from the Joint Disciplinary Committee in cases where gross negligence on the part of staff members results in financial loss by the Organization. The procedures will need to be revised in view of the recommended abolition of Joint Disciplinary Committees.

(a) Staff members shall apply directly to the Secretary-General or the executive head of a separately administered fund or programme for an evaluation of the contested administrative decision;

(b) All staff members who file a request for evaluation will receive a reasoned response in 45 days. In order to avoid the perception of conflict of interest, management evaluations will be carried out by a separate unit in the Department of Management. Sufficient resources will be requested in order that the reviews can be conducted during that time period;

(c) In cases where the contested decision is particularly time sensitive — separation and non-renewal cases — staff members may request that the Secretary-General or executive head suspend action on implementation of the decision until the management evaluation has been completed and the staff member informed of the decision;

(d) In cases of decisions to terminate appointments of staff members prior to the expiration of their contracts, such suspensions will be granted automatically upon request until the management evaluation has been completed;

(e) Staff members may file a request for suspension of action with the Dispute Tribunal without making such a request of the executive head. They may also file a request for suspension of action with the Dispute Tribunal in cases where the executive head has denied the staff member's request for suspension. Dispute Tribunal decisions on suspension of action are not subject to appeal;

(f) In cases where the outcome of the management evaluation indicates that the decision was not in line with the Staff Regulations and Rules, action will be taken by the Department of Management to ensure that the decision is changed or that an appropriate remedy is taken;

(g) If the response is not provided within 45 days or is not satisfactory to the staff member, the staff member may proceed to the Dispute Tribunal;

(h) The response will inform the staff member of his or her legal options, including the possibility to notify and to seek advice from staff representation bodies and the Office of Staff Legal Assistance.

31. In addition, the Secretary-General agrees with the Committee's recommendation for the following measures to ensure managerial accountability:

(a) Managers' compliance with their obligation to respond to requests for comments in a timely fashion will be reflected in their PAS and in departmental human resources action plans. Where the outcome of the management evaluation indicates that a decision was taken improperly, in addition to action taken to rectify the situation, a record of the outcome would be made in the departmental human resources action plans and the head of department's compact with the Secretary-General or executive head. Similar proceedings would apply, as appropriate, in the funds and programmes;

(b) Where the Under-Secretary-General for Management determines that a manager has improperly exercised his or her delegated authority, such authority may be withdrawn by the Under-Secretary-General for Management. A similar procedure would apply, as appropriate, in the funds and programmes;

(c) Where the Under-Secretary-General for Management determines that misconduct may have occurred, the matter will be referred for investigation, as appropriate. However, the case may still proceed to the Dispute Tribunal.

Other issues

32. Regarding the selection and appointment of judges, the Secretary-General supports the Panel's recommendation to establish an Internal Justice Council to compile lists of candidates for appointment as judges in the Organization's internal justice system (ibid., para. 173). All judges of the Dispute Tribunal and the Appeals Tribunal would be appointed by the Secretary-General and the General Assembly respectively from the list of candidates prepared by the Internal Justice Council (ibid., para. 174).

33. In terms of remuneration, the Secretary-General proposes that all Dispute Tribunal judges be remunerated at the D-2 level. As recommended by the Panel, the Secretary-General agrees that Appeals Tribunal judges should receive an honorarium similar to that paid to the judges of the International Labour Organization (ILO) Administrative Tribunal.

34. The Secretary-General shares the Panel's view that proceedings in the formal justice system should be brought against the Organization or the relevant fund or programme, not the Secretary-General or the executive heads (ibid., para. 172).

35. The Secretary-General agrees with the Panel's recommendation that consultations should be held with the United Nations Joint Staff Pension Fund and other bodies subject to the administrative jurisdiction of the Administrative Tribunal with a view to amending its Statute, to expand its scope, to enable it to grant the appropriate relief and to bring it into harmony with the Statute of the ILO Administrative Tribunal (ibid., para. 157).[6]

36. The proposed new structure for the formal justice system is illustrated in annex II.

VI. Education and training

37. The Secretary-General shares the assessment of the Panel that education and training will be the cornerstone of the successful operation of the new internal justice system and that intensive training should be provided to all persons involved in the system (ibid., para. 177). The Secretary-General agrees with the recommendation of the Staff-Management Coordination Committee that intensive training should be provided to managers, staff union representatives and staff-at-large and that a handbook on the new system should be produced in the working languages of the Organization used at the different duty stations.

[6] The Panel's recommendation refers to amending the Statute of the United Nations Administrative Tribunal to expand the definition of staff. While the Secretary-General agrees that the scope of individuals entitled to have access to the internal justice system should be expanded along the lines discussed in paragraph 10 above, this would not entail an expansion of the definition of staff. The scope and purpose provision of the Staff Regulations defines a staff member as an individual "whose employment and contractual relationship are defined by a letter of appointment subject to regulations promulgated by the General Assembly pursuant to Article 101, paragraph 1, of the Charter".

VII. Financial implications

38. The Secretary-General agrees that the internal justice system needs to be fully resourced to ensure its functionality and equitable access to it. The Secretary-General's recommendations, based on the proposals of the Panel and modified by the Staff-Management Coordination Committee, would entail $37,646,200 ($35,634,700 net of staff assessment), to be financed from the programme budget for the biennium 2008-2009. This will cover the costs of the redesigned informal and formal systems of justice. Estimates and the distribution of new posts and related post and non-post costs are contained in annex III. Additional costs of $774,200 for the period from 1 January to 30 June 2008 in respect of various peacekeeping missions will be covered from separate peacekeeping budgets.

39. Of the total net requirements of $35,634,700 for the proposed programme budget for the biennium 2008-2009, existing resources amounting to $10,625,500 will be utilized and other resources will be redeployed between sections to meet the needs of the proposed new administration of justice system, leaving additional net resource requirements for the biennium 2008-2009 in the amount of $25,009,200.

Posts

40. In addition to the 34 posts already provided for work related to the administration of justice under the existing programme budget, a further 79 posts financed from the programme budget would be required to staff the revamped administration of justice system (see annex III, tables 1-3). Those 113 posts cover the requirements for the Office of Administration and the Registries, the Judiciary, the Office of the Ombudsman, the Office of Staff Legal Assistance and the Management Evaluation Team. For peacekeeping operations, it is envisaged that 18 posts will be required. The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), the United Nations Mission in the Sudan (UNMIS) and the United Nations Mission in Liberia (UNMIL) will carry out the duties of regional Ombudsmen. Those missions will also have an Office of Staff Legal Assistance and a small management evaluation capacity (see annex III, tables 1B and 2B.)

41. The total resources required for the 113 posts will be $22,124,400 under the proposed programme budget for the biennium 2008-2009, of which $9,284,800 is already provided under existing posts. In addition, $596,000 would be required under peacekeeping operations for the period from 1 January to 30 June 2008 (see annex III, tables 5A and B).

Non-post resources

42. Annex III, table 5, details the non-post requirements for the proposed programme budget for the biennium 2008-2009. The additional non-post requirements comprise:

(a) General temporary assistance related to training and preparation of a handbook. The training is to be provided to all persons involved in the internal justice system at Headquarters, offices away from Headquarters and field missions. The programme will need to be delivered on a continuous basis to ensure training of new staff after the initial launch, and to provide refresher courses and updates to existing staff. The handbook will include the text of new rules, administrative

issuances and guidelines for implementing the new system. Its preparation will be achieved through a process of extensive consultation prior to translation and distribution;

(b) Honorariums for judges of the Appeals Tribunal, equivalent to rates applicable to the ILO Administrative Tribunal, to provide for the services of judges rendering decisions on Appeals Tribunal cases;

(c) Consultancy funds for engaging international professional mediators who will be called upon when the coordinating mediator determines that their services are required for reasons of expedience, language or cultural sensitivity, and for the provision of panels to assist in the appointment of judges and Ombudsmen;

(d) Travel of judges and staff to hold sessions outside of New York, Geneva and Nairobi, travel of staff to appear personally for Dispute Tribunal cases and travel for representatives of respondents to attend sessions;

(e) Contractual services, including the servicing and interpretation of meetings, the translation of documents and judgements, the design, development and delivery of new training programmes on the informal and formal justice systems, including on mediation, court administration and the system of Dispute Tribunal and the Appeals Tribunal (including the development of pilot and train-the-trainer programmes), the development of an online programme and translation of the handbook;

(f) General operating expenses, supplies and furniture and equipment related to the proposed establishment of 79 new posts, including office accommodation.

43. Non-post costs totalling $178,200 (see annex III, table 5B) for the peacekeeping operations MONUC ($59,400), UNMIL ($59,400) and UNMIS ($59,400) will be required for the period ending 30 June 2008. It should be noted that the resources required for the peacekeeping operations for the period from 1 July 2008 to 30 June 2009 total approximately $3 million. These resources will be included in the proposed budgets of MONUC, UNMIL and UNMIS for the period.

44. The redesigned justice system will apply to the United Nations and its funds and programmes. The funds and programmes will be directly responsible for resources related to the Deputy Ombudsman in New York. The funds and programmes will participate in other elements of the justice system, and this will involve sharing of the costs for the Office of Staff Legal Assistance, the Office of the Ombudsman, the Office of Administration of Justice and the judiciary. Cost sharing for the current system is based on workload statistics for judgements issued and cases disposed. As the new system reaches maturity, the basis for cost sharing will be revisited.

45. The following factors are important in considering the financial implications:

(a) The explicit costs of the existing system have been included to the extent possible. However, the essence of the existing system relies on staff time provided on a part-time and volunteer basis to staff the Joint Appeals Board and Joint Disciplinary Committee. Full costing of the existing system reflecting both explicit costs and volunteer costs cannot be accurately calculated;

(b) The results of the Staff-Management Coordination Committee working group on disciplinary matters and any subsequent recommendations endorsed by the Secretary-General may have additional implications;

(c) The total impact of the new system — in terms of caseload and related staff time — cannot be fully estimated until both the informal and formal components of the system have been implemented and staff and managers have developed confidence in the new mechanisms. In this regard, the Secretary-General expects to submit to the General Assembly at its sixty-fourth session a report on the implementation of the system of administration of justice.

VIII. Timeline for implementation

46. With regard to the Panel's recommendation that the new internal justice system be operational by 1 January 2008 (A/61/205, para. 176), the timeline for implementation will depend on the outcome of the General Assembly's deliberations on the issue of the administration of justice and the allocation of adequate resources. As soon as a decision is taken, the Secretariat will expedite the drafting of proposed new text for staff regulations and rules along with related administrative issuances, as well as a proposed statute for the United Nations Dispute Tribunal and changes to the Statute of the United Nations Administrative Tribunal. In addition, the Internal Justice Council will need to be established, in line with the Panel's recommendations, as a first step in operationalizing the Dispute Tribunal and Appeals Tribunal mechanisms. The supporting secretariat structure will be put in place as quickly as possible. In view of the extensive changes proposed, it is envisaged that implementation would be undertaken in a phased manner during 2007 and 2008, including the early advertising of vacancies.

IX. Recommendations

47. **The Secretary-General has prepared the present comments on the recommendations of the Redesign Panel after having held intensive consultations with the staff and management, including at a dedicated session of the Staff-Management Coordination Committee. He considers that the recommendations of the Panel, with the modifications set out above, will provide the Organization with an effective internal justice system in which staff, management and Member States can have confidence. He requests the General Assembly to give due consideration to these proposals and to approve the resources necessary for full implementation.**

48. **Should the General Assembly agree on the proposals contained herein, the requirements in respect of the proposed programme budget for the biennium 2008-2009 would be $37,646,200 ($35,634,700 net of staff assessment). Of that total, $10,625,500 is already included in programme budget proposals for the biennium 2008-2009 and would be redeployed. Additional resources of $27,020,700 ($25,009,200 net of staff assessment) would be required in the biennium 2008-2009 to implement the proposals. The relevant appropriations under each budget section (see annex III, table 4A) would be reflected in the context of the adoption of the proposed programme budget for the biennium 2008-2009 during the sixty-second session of the Assembly. All the resource**

requirements have been adjusted for comparability purposes to reflect the same rates, namely the 2008-2009 rates have been used to arrive at the total requirement. It should be noted that the 2008-2009 rates are based on preliminary recosting parameters and in accordance with established methodology, which would be further recosted just prior to adoption of the initial appropriation of the programme budget for the biennium 2008-2009 in December 2007.

49. **Should the General Assembly agree on the proposals contained herein, the action required to be taken by the Assembly with respect to peacekeeping missions is as follows:**

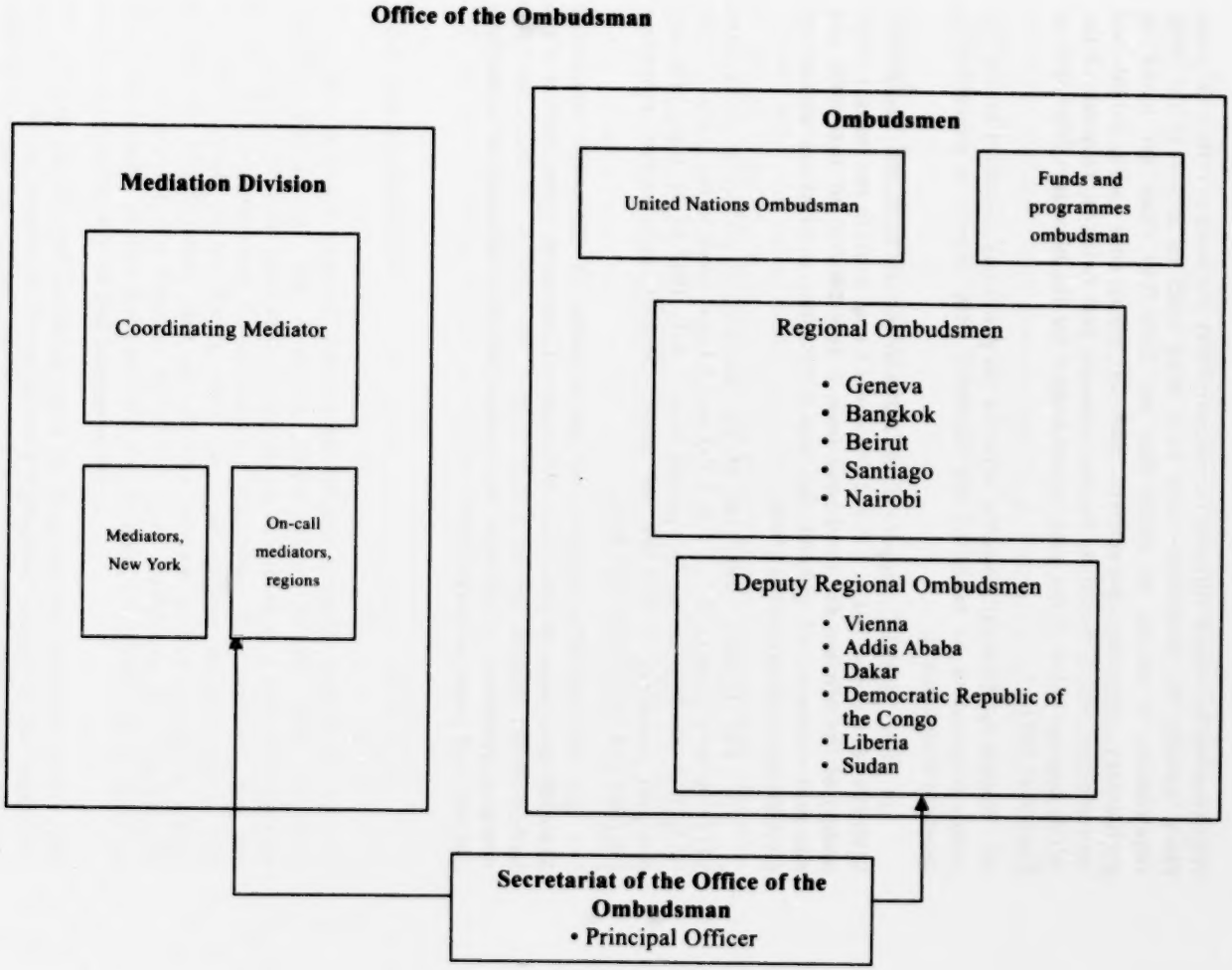
(a) **For MONUC, approval of the amount of $257,400, comprising $198,000 for 6 posts (1 D-1, 1 P-4, 2 P-3 and 2 Local level) in the context of the budget of the Mission for the period from 1 July 2007 to 30 June 2008 and non-post resources of $59,400, for travel ($5,000), information technology ($6,600) and consultants ($47,800);**

(b) **For UNMIL, approval of the amount of $271,400, comprising $212,000 for 6 posts (1 D-1, 1 P-4, 2 P-3 and 2 Local level) in the context of the budget of the Mission for the period from 1 July 2007 to 30 June 2008 and non-post resources of $59,400, for travel ($5,000), information technology ($6,600) and consultants ($47,800);**

(c) **For UNMIS, approval of the amount of $245,400, comprising $186,000 for 6 posts (1 D-1, 1 P-4, 2 P-3 and 2 Local level) in the context of the budget of the Mission for the period from 1 July 2007 to 30 June 2008 and non-post resources of $59,400, for travel ($5,000), information technology ($6,600) and consultants ($47,800).**

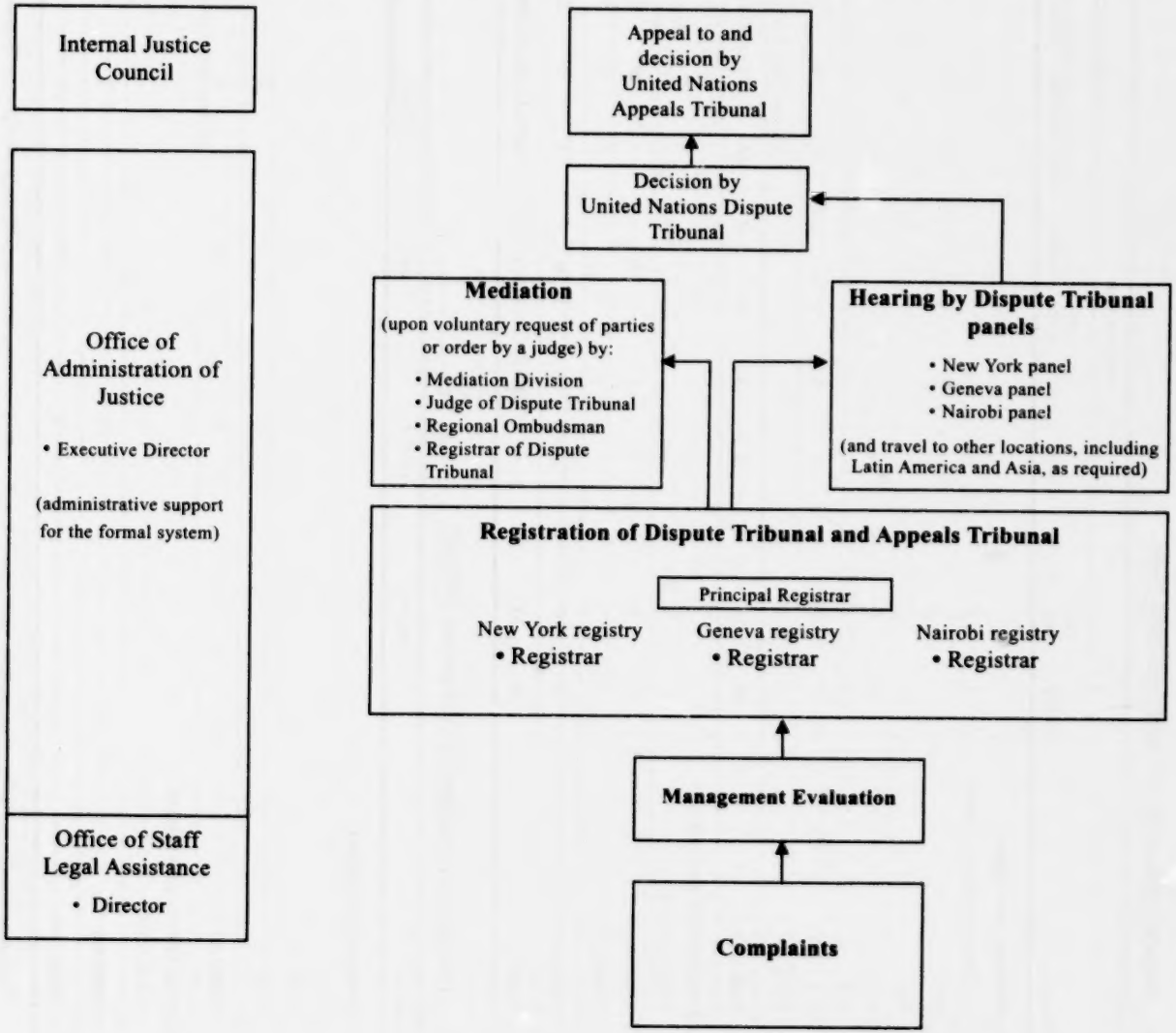
Annex I

Proposed informal system of United Nations internal justice



Annex II

Proposed formal system of United Nations internal justice


Internal Justice Council
Office of Administration of Justice
• Executive Director
(administrative support for the formal system)
Office of Staff Legal Assistance
• Director
Appeal to and decision by United Nations Appeals Tribunal
Decision by United Nations Dispute Tribunal
Mediation
(upon voluntary request of parties or order by a judge) by:
• Mediation Division
• Judge of Dispute Tribunal
• Regional Ombudsman
• Registrar of Dispute Tribunal
Hearing by Dispute Tribunal panels
• New York panel
• Geneva panel
• Nairobi panel
(and travel to other locations, including Latin America and Asia, as required)
Registration of Dispute Tribunal and Appeals Tribunal
Principal Registrar
New York registry
• Registrar
Geneva registry
• Registrar
Nairobi registry
• Registrar
Management Evaluation
Complaints

Annex III

Financial implications

Table 1
Post requirements by duty station and mission

A. Regular budget for the biennium 2008-2009

		Additional posts									
Category	*Existing*	*New York*	*Geneva*	*Vienna*	*Nairobi*	*Addis Ababa*	*Bangkok*	*Beirut*	*Santiago*	*Subtotal*	*Total proposed*
Professional and higher											
Assistant Secretary-General	1	1	—	—	—	—	—	—	—	1	2
D-2	—	3	3	—	3	—	—	—	—	9	9
D-1	1	4	1	—	1	—	1	1	1	9	10
P-5	9	6	1	1	—	1	—	—	—	9	18
P-4	2	5	2	—	3	—	—	—	—	10	12
P-3	7	5	1	1	1	2	3	3	3	19	26
P-2/1	—	1	—	—	—	—	—	—	—	1	1
Subtotal	**20**	**25**	**8**	**2**	**8**	**3**	**4**	**4**	**4**	**58**	**78**
General Service and related											
Principal level	—	2	—	—	—	—	—	—	—	2	2
Other level	13	5	2	2	—	—	—	—	—	9	22
Local level	1	—	—	—	2	2	2	2	2	10	11
Subtotal	**14**	**7**	**2**	**2**	**2**	**2**	**2**	**2**	**2**	**21**	**35**
Total	**34**	**32**	**10**	**4**	**10**	**5**	**6**	**6**	**6**	**79**	**113**

B. Peacekeeping budgets for the period 2007/08[a]

Category	*Existing*	*MONUC*	*UNMIL*	*UNMIS*	*Total*
Professional and higher					
D-1	—	1	1	1	3
P-4	—	1	1	1	3
P-3	—	2	2	2	6
Subtotal	**—**	**4**	**4**	**4**	**12**
General Service and related					
Local level	—	2	2	2	6
Subtotal	**—**	**2**	**2**	**2**	**6**
Total	**—**	**6**	**6**	**6**	**18**

[a] The provisions do not reflect the posts for Dakar (1 P-5, 1 P-3 and 2 General Service). The costs of those posts and the associated non-post costs would be shared between the United Nations funds and programmes and peacekeeping budgets subject to agreement being reached with the parties concerned. The posts include a Deputy Regional Ombudsman (P-5), a Regional Coordinating Counsel (P-3) and 2 Legal/Administrative Assistants (Local level).

Table 2
Distribution of posts by component

A. Regular budget for the biennium 2008-2009

Category	*Management evaluation*	*Office of Legal Affairs*	*Administrative Law Unit*	*Office of the Ombudsman*	*Office of Administration of Justice*	*Judiciary*	*Office of Staff Legal Assistance*	*Total*
Professional and higher								
Assistant Secretary-General	—	—	—	1	1	—	—	2
D-2	—	—	—	—	—	9	—	9
D-1	1	—	—	7	1	—	1	10
P-5	1	7	1	4	4	—	1	18
P-4	6	1	—	2	1	—	2	12
P-3	5	—	2	6	4	3	6	26
P-2/1	—	—	—	—	—	—	1	1
Subtotal	**13**	**8**	**3**	**20**	**11**	**12**	**11**	**78**
General Service and related								
Principal level	—	—	—	1	1	—	—	2
Other level	3	2	2	5	5	—	5	22
Local level	—	—	—	5	1	—	5	11
Subtotal	**3**	**2**	**2**	**11**	**7**	—	**10**	**35**
Total	**16**	**10**	**5**	**31**	**18**	**12**	**21**	**113**

B. Peacekeeping budgets for the period 2007/08[a]

Category	*Management evaluation*	*Office of the Ombudsman*	*Office of Staff Legal Assistance*	*Total*
Professional and higher				
D-1	—	3	—	3
P-4	3	—	—	3
P-3	—	3	3	6
Subtotal	**3**	**6**	**3**	**12**
General Service and related				
Local level	—	3	3	6
Subtotal	—	**3**	**3**	**6**
Total	**3**	**9**	**6**	**18**

[a] The provisions do not reflect the posts for Dakar (1 P-5, 1 P-3 and 2 General Service). The costs of those posts and the associated non-post costs would be shared between the United Nations funds and programmes and peacekeeping budgets subject to agreement being reached with the parties concerned. The posts include a Deputy Regional Ombudsman (P-5), a Regional Coordinating Counsel (P-3) and 2 Legal/Administrative Assistants (Local level).

Table 3
Distribution of existing posts

Category	*Office of the Ombudsman, New York*	*United Nations Administrative Tribunal*	*Office of the Under-Secretary-General for Management*	*Office of Legal Affairs*	*Human resources*				*Total*
					New York	*Geneva*	*Vienna*	*Nairobi*	
Professional and higher									
Assistant Secretary-General	1	—	—	—	—	—	—	—	1
D-1	1	—	—	—	—	—	—	—	1
P-5	1	1	2	4	1	—	—	—	9
P-4	1	—	1	—	—	—	—	—	2
P-3	1	1	—	—	2	1	1	1	7
Subtotal	**5**	**2**	**3**	**4**	**3**	**1**	**1**	**1**	**20**
General Service and related									
Other level	2	2	5	1	2	1	—	—	13
Local level	—	—	—	—	—	—	—	1	1
Subtotal	**2**	**2**	**5**	**1**	**2**	**1**	**—**	**1**	**14**
Total	**7**	**4**	**8**	**5**	**5**	**2**	**1**	**2**	**34**

Table 4
Requirements by budget section and mission

A. Regular budget for the biennium 2008-2009

(Thousands of United States dollars)

Budget section		*Existing resources*	*Redeployed resources*	*Resource growth*	*Total*
1.	Overall policymaking, direction and coordination	4 447.7	1 803.9	16 914.8	23 166.4
2.	General Assembly and Economic and Social Council affairs and conference management	—	—	3 229.0	3 229.0
8.	Legal affairs	1 731.6	—	1 017.5	2 749.1
17.	Economic and social development in Africa	—	—	212.1	212.1
18.	Economic and social development in Asia and the Pacific	—	—	176.8	176.8
20.	Economic and social development in Latin America and the Caribbean	—	—	184.6	184.6
21.	Economic and social development in Western Asia	—	—	199.6	199.6
28A.	Office of the Under-Secretary-General for Management	1 895.1	(701.7)	803.5	1 996.9
28C.	Office of Human Resources Management	1 259.7	—	—	1 259.7
28D.	Office of Central Support Services	—	—	1 815.3	1 815.3
28E.	Administration, Geneva	487.9	(487.9)	233.9	233.9
28F.	Administration, Vienna	331.2	(251.0)	106.3	186.5
28G.	Administration, Nairobi	472.3	(363.3)	115.8	224.8
35.	Staff assessment	—	—	2 011.5	2 011.5
	Total	**10 625.5**	—	**27 020.7**	**37 646.2**

B. Peacekeeping budgets for the period 2007/08[a]

(Thousands of United States dollars)

Mission	*Existing resources for administration of justice*	*Resource growth*	*Total*
MONUC	—	257.4	257.4
UNMIL	—	271.4	271.4
UNMIS	—	245.4	245.4
Total	—	**774.2**	**774.2**

[a] The provisions do not reflect the posts for Dakar (1 P-5, 1 P-3 and 2 General Service). The cost of those posts and the associated non-post costs would be shared between the United Nations funds and programmes and peacekeeping budgets subject to agreement being reached with the parties concerned. The posts include a Deputy Regional Ombudsman (P-5), a Regional Coordinating Counsel (P-3) and 2 Legal/Administrative Assistants (Local level).

Table 5
Requirements by object of expenditure

A. Regular budget for the biennium 2008-2009

(Thousands of United States dollars)

Object of expenditure	*Existing resources*	*Resource growth*	*Total revised estimates*
Posts	9 284.8	12 839.6	22 124.4
Other staff costs	404.3	856.1	1 260.4
Honorariums	0.1	503.9	504.0
Consultants	53.7	439.8	493.5
Travel of staff	712.6	295.0	1 007.6
Contractual services	78.2	5 084.5	5 162.7
General operating expenses	57.9	4 174.6	4 232.5
Supplies and materials	11.1	79.0	86.1
Furniture and equipment	22.8	736.7	751.5
Staff assessment	—	2 011.5	2 011.5
Total	**10 625.5**	**27 020.7**	**37 646.2**

B. Peacekeeping budgets for the period 2007/08[a]

(Thousands of United States dollars)

Object of expenditure	*Existing resources*	*Resource growth*	*Total revised estimates*
Posts	—	596.0	596.0
Official travel	—	15.0	15.0
Consultants (training)	—	143.4	143.4
Information technology	—	19.8	19.8
Total	—	**774.2**	**774.2**

[a] The provisions do not reflect the posts for Dakar (1 P-5, 1 P-3 and 2 General Service). The costs of those posts and the associated non-post costs would be shared between the United Nations funds and programmes and peacekeeping budgets subject to agreement being reached with the parties concerned. The posts include a Deputy Regional Ombudsman (P-5), a Regional Coordinating Counsel (P-3) and 2 Legal/Administrative Assistants (Local level).